

REMARKS

Claims 1-3, 6-18, 21, 24-43, and 46-49 are pending in this application. Claims 4 and 5 have been canceled without prejudice. No new matter has been inserted into this application.

In the Office Action of February 26, 2009, the Examiner has divided the claims into five (5) groups:

Group 1, claim(s) 1-9, 39-43, 46-47 and 49, drawn to an adhesive protein comprising an amino acid sequence shown in SEQ ID NO:6 and an adhesive comprising an adhesive protein.

Group 2, claim(s) 10-18, 21 and 24, drawn to a polynucleotide comprising a nucleotide sequence encoding an adhesive protein.

Group 3, claim(s) 25-31, 33, drawn to a method of producing an adhesive protein comprising the steps of (a) constructing a vector that comprises operably a nucleotide encoding the adhesive protein, (b) constructing a transformant by transforming the vector into a host cell, and (c) producing recombinant adhesive protein by culturing the transformant.

Group 4, claim(s) 34-38, drawn to a method of purifying adhesive protein comprising the steps of (d) lysing the transformant, centrifuging it to isolate each of the supernatant and pellet, (e) making a suspension by adding acidic organic solvent to the pellet and suspending it, (f) centrifuging the suspension to isolate the supernatant.

Group 5, claim(s) 48, drawn to a method of adjusting the adhesion force of the adhesive wherein the method comprises a step of treating with a substance or a step of controlling the concentration of the adhesive protein which is an active component of the adhesive.

Applicants traverse this requirement. Reconsideration and withdrawal thereof are earnestly requested.

Applicants submit that there is not an undue burden placed upon the Examiner to search and consider all of the claims. The presently claimed invention revolves around the adhesive protein of SEQ ID NO:6 and its uses. Therefore, they are joined by the special technical feature of the adhesive protein.

However, in order to be responsive to the outstanding Restriction Requirement, Applicants provisionally elect to prosecute Group I claims 1-9, 39-43, 46-47, and 49, drawn to an adhesive protein comprising an amino acid sequence shown in SEQ ID NO:6 and an adhesive comprising an adhesive protein, for prosecution on the merits, with traverse.

In addition to the above-mentioned group restriction, the Examiner has required election of a species. Reconsideration and withdrawal thereof are earnestly requested. However, it is understood that the species election is for initial examination purposes.

The species for Group 1 is elected as follows. With regards to the species selection:

Applicants elect “adhesion force” in claim 3; “SEQ ID NO:25 tandemly repeated 1 to 10 times” in claim 6; “SEQ ID NO: 14” in claim 7; “eukaryotic cells” in claim 41; “filler” in claim 43; and “hyaluronic acid” in claims 46.

Accordingly, early examination on the merits is respectfully requested.

The Commissioner is authorized to charge JHK Law’s Deposit Account No. **502486** for any fees required under 37 CFR §§ 1.16 and 1.17 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayment to said Deposit Account No. **502486**.

Respectfully submitted,

JHK Law

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